

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THEOTIS GOLDEN, )  
Plaintiff, )  
vs. )  
GEORGE W. KENNEDY, et al., )  
Defendants. )  
No. C 06-05215 JW (PR)  
ORDER OF DISMISSAL

Plaintiff, a California state inmate proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. All claims were dismissed except a claim of excessive force, which was dismissed with leave to amend. Plaintiff was given thirty days to file an amended complaint from March 2, 2007, the date of the order of dismissal. Plaintiff was granted leave to proceed in forma pauperis under 28 U.S.C. § 1915 in the same order.

Plaintiff was granted an extension of time of thirty days on April 5, 2007, to file an amended complaint. Plaintiff was advised in the order of dismissal and the order granting the extension of time that failure to file an amended complaint "will result in dismissal of the complaint for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)."

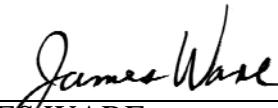
1                   The deadline has since passed, and plaintiff has failed to file an amended  
2 complaint or request another extension of time to do so. Accordingly, this case is  
3 DISMISSED with prejudice for failure to prosecute pursuant to Federal Rule of  
4 Civil Procedure 41(b).

5                   The clerk shall terminate any pending motions.

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7                   DATED: August 2, 2007

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JAMES WARE  
United States District Judge